

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)

In re:)
Leslie A. Spalding)
Jennifer E. Haynes) Chapter 13
Debtors) Case No. 11-17743

CERTIFICATION OF DEFAULT

TO THE CLERK OF COURT:

The undersigned, counsel for secured creditor FMM Bushnell, LLC, assignee of ACM Patriot LN IV B, LLC, assignee of The Patriot Group, LLC, hereby certifies that Debtors are and remain in default under the Stipulation between Debtors and The Patriot Group, LLC, and that although notice of such default has been provided under such Stipulation (see Exhibit "A" hereto), and the requisite fifteen (15) days have passed, such default has not been cured.

Accordingly, pursuant to the Stipulation, kindly submit the instant matter to the Court for the entry of a Relief Order in the form attached hereto as Exhibit "B".

JSDC LAW OFFICES

By: /s/BRIAN H. SMITH
BRIAN H. SMITH, ESQUIRE
Attorneys for FMM Bushnell, LLC
PO Box 650
Hershey, PA 17033
tel. (717) 533-3280/fax (717) 298-2085

EXHIBIT

A



JSDC LAW OFFICES

JAMES • SMITH • DIETTERICK • CONNELLY • CHABAL • YAHN • SEEBER • TOMASKO

June 2, 2017

Leslie A. Spalding
 Jennifer E. Haynes
 1801 Georges Lane
 Philadelphia, PA 19131

Valerie A. Hibbert, Esquire
 Valerie A. Hibbert, Esquire, P.C.
 18 North Lansdowne Avenue
 Lansdowne, PA 19050

**Re: Leslie A. Spalding/Jennifer E. Haynes
 Bankruptcy #11-17743**

Dear Mesdames,

The undersigned represents FMM Bushnell, LLC, assignee of ACM Patriot LN IV B, LLC, assignee of The Patriot Group, LLC, secured creditor in the above.

Please be advised that the Stipulation entered into as of January 23, 2012 and subsequently approved by the Court, is in default. Specifically, the monthly payments (\$1,102.10 per month) from and including April 1, 2016 through and including June 1, 2017, plus associated late charges (\$55.11 per month) have not been received. The total of payments and late charges due as of the date of this letter is \$17,358.15.

Accordingly, this shall constitute notice under paragraph 4 of the Stipulation that if the aforementioned defaults are not corrected within fifteen (15) days of the date of this letter, my client will file a certification of default and request that a relief order be entered.

Thank you.

Very truly yours,

JSDC LAW OFFICES

A handwritten signature of Brian H. Smith, Esquire, in black ink. The signature is fluid and cursive, with 'Brian H.' on the first line and 'Smith, Esquire' on the second line.

cc: FMM Bushnell, LLC (via email)

Mailing:

P.O. Box 650
 Hershey, PA 17033

Main Office:

134 Sipe Avenue
 Hummelstown, PA
 17036

West Shore Location:

555 Gettysburg Pike
 Suite C400
 Mechanicsburg, PA
 17055

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Of Counsel:
 Gregory K. Richards
 Andrew H. Briggs

EXHIBIT

B

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA (Philadelphia)

In re:)
Leslie A. Spalding)
Jennifer E. Haynes) Chapter 13
Debtors) Case No. 11-17743

ORDER

AND NOW, this _____ day of _____, 201____, upon certification of default
under the Stipulation between Debtors and The Patriot Group, LLC, IT IS HEREBY ORDERED
AND DECREED that:

- (1) The Automatic Stay of all proceedings , as provided under 11 U.S.C. sections 362 and 1301 (if applicable), is modified as to FMM Bushnell, LLC, assignee of ACM Patriot LN IV B, LLC, assignee of The Patriot Group, LLC, for the premises 1801 Georges Lane, Philadelphia, PA 19131.
- (2) Pursuant to the aforementioned Stipulation, the stay of proceedings under Bankruptcy Rule 4001 (a)(3) shall not apply, and Movant may enforce the provisions of this Order immediately.

BY THE COURT:

B.J.

cc: All Counsel of Record
Chapter 13 Trustee
Debtors
Office of the U.S. Trustee

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Leslie A. Spalding)
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) Case No. 11-17743
Debtors)

CERTIFICATE OF SERVICE OF CERTIFICATION OF DEFAULT

The undersigned, by the date shown below, certifies that true and correct copies of the Certification of Default regarding FMM Bushnell, LLC, assignee of ACM Patriot LN IV B, LLC, assignee of The Patriot Group, were served upon the following via first-class US regular mail, postage prepaid:

Debtor's Counsel:

Valerie A. Hibbert, Esquire
Valerie A. Hibbert, Esquire, P.C.
18 North Lansdowne Avenue
Lansdowne, PA 19050

William C. Miller, Esquire
Chapter 13 Trustee
111 S. Independence Mall
Suite 583
Philadelphia, PA 19106

Debtors:

Leslie A. Spalding
Jennifer E. Haynes
1801 Georges Lane
Philadelphia, PA 19131

Office of the U.S. Trustee
833 Chestnut Street, Ste. 500
Philadelphia, PA 19107

Date: June 19, 2017

JSDC LAW OFFICES

By:/s/Brian H. Smith
Brian H. Smith, Esquire
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Hershey, PA 17033
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